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Attorney Docket No.: 15966-575 CIP (Cura-75 CIP)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Prayaga et al.  
SERIAL NUMBER : 10/083,919 EXAMINER : Not Yet Assigned  
FILING DATE : February 27, 2002 ART UNIT : 1645  
FOR : Endozepine-Like Polypeptides and Polynucleotides Encoding Same

BOX IDS

Commissioner for Patents  
Washington, D.C. 20231



30623

PATENT TRADEMARK OFFICE

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (4 pages), in duplicate; and
3. Return Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 15966-575 CIP (Cura-75 CIP). A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

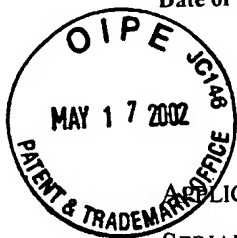
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Dated: May 17, 2002

TRA 1669865v1

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**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed before the mailing date of the first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

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OFFICE OF PETITIONS

APPLICANTS:  
U.S.S.N.:

Prayaga et al.  
10/083,919

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 15966-575 CIP (Cura-75 CIP).

Respectfully submitted,



---

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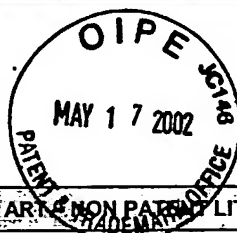
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<b>Modified Form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Application Number</b>	10/083,919
	<b>Filing Date</b>	02/27/02
	<b>First Named Inventor</b>	Prayaga
	<b>Group Art Unit</b>	1645
	<b>Examiner Name</b>	Not Yet Assigned
	<b>Attorney Docket Number</b>	15966-575 CIP (Cura-75 CIP)

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1*	5,734,038	03/31/98	Au-Young, et al.			
	A2*	5,945,033	08/31/99	Yen			

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes	No
	B1*	WO	86/04239	Oncogen	July 31, 1986		
	B2*	WO	97/15671	Board of Regents, The U. of Texas System	May 1, 1997		
	B3*	WO	98/06847	Incyte Pharmaceuticals, Inc.	Feb. 19, 1998		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1*	Adams, et al., 2000 "The genome sequence of Drosophila melanogaster." <u>Science</u> 287: 2185-2195. GenBank Accession Number: q9VLS4
	C2*	Anholt, R. R., P. L. Pedersen, et al. (1986). "The peripheral-type benzodiazepine receptor. Localization to the mitochondrial outer membrane." <u>J Biol Chem</u> 261(2): 576-83.
	C3*	Burton, J. 2000 Direct Submission. GenBank Accession Number: AL121672
	C4*	Chen, et al., 1988 "Isolation and characterization of procine diazepam-binding inhibitor, a polypeptide not only of cerebral occurrence but also common in intestinal tissues and with effects on regulation of insulin release." <u>Eur. J. Biochem.</u> 174 (2): 239-245. GenBank Accession Number: p12026
	C5*	DeBernardi, M. A., R. R. Crowe, et al. (1988). "Chromosomal localization of the human diazepam binding inhibitor gene." <u>Proc Natl Acad Sci U S A</u> 85(17): 6561-5.
	C6*	Geisbrecht, et al., 1999 "Characterization of PECl, a Novel Monofunctional D3, D2-Enoyl-CoA Isomerase of Mammalian Peroxisomes. <u>J. Biol. Chem.</u> (In press) GenBank Accession Number: af153612
	C7*	Geisrecht, et al., 1999 "Characterization of PECl, a Novel Monofunctional D3, D2-Enoyl-CoA Isomerase of Mammalian Peroxisomes." <u>J. Biol. Chem.</u> (In press) GenBank Accession Number: af153613
	C8*	Gersuk, V. H., T. M. Rose, et al. (1995). "Molecular cloning and chromosomal localization of a pseudogene related to the human acyl-CoA binding protein/diazepam binding inhibitor." <u>Genomics</u> 25(2): 469-76.

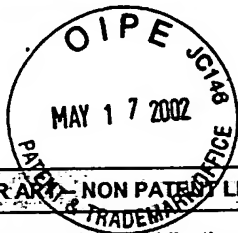


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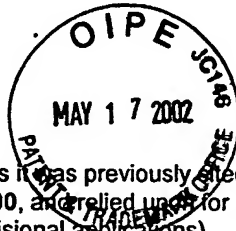
OTHER PRIOR ART & NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C9*	Gracey, et al. 1998 "The detection of cold-induced gene expression in carp liver by differential display RT-PCR." Direct Submission. GenBank Accession Number: af006493
	C10*	Gray, et al. 1986 "Cloning and expression of cDNA for human diazepam binding inhibitor, a natural ligand of an allosteric regulatory site of the gamma-aminobutyric acid type A receptor." <u>Proc. Natl. Acad. Sci. U.S.A.</u> 83 (19): 7547-7551. GenBank Accession Number: m14200
	C11*	Gray, P. W., D. Glaister, et al. (1986). "Cloning and expression of cDNA for human diazepam binding inhibitor, a natural ligand of an allosteric regulatory site of the gamma- aminobutyric acid type A receptor." <u>Proc Natl Acad Sci U S A</u> 83(19): 7547-51.
	C12*	Gray, P.W. 1987 "Molecular biology of diazepam binding inhibitor." <u>Neuropharmacology</u> 26: 863-865. GenBank Accession Number: m20268
	C13*	Hamers, et al. 1996 "Variable fragments of immunoglobulins - use for therapeutic or veterinary purposes." Patent: WO 9634103. GenBank Accession Number: a57711
	C14*	Ivell, R., et al. 2000 "Progressive inactivation of the haploid expressed gene for the sperm-specific endozepine-like peptide (ELP) through primate evolution." <u>Gene</u> 255 (2): 335-345. GenBank Accession Number: AF229804
	C15*	Kato, K. 1993 "Sequence analysis of twenty mouse brain cDNA clones selected by specific expression patterns." <u>J. Neurosci.</u> (In Press) GenBank Accession Number: x61431
	C16*	Kolmer, et al. 1994 "Tissue-specific expression of the diazepam-binding inhibitor in Drosophila melanogaster: cloning, structure, and localization of the gene." <u>Mol. Cell. Biol.</u> 14: 6983-6995. GenBank Accession Number: u04823
	C17*	Kragelund, et al. 1996 "Fast and one-step folding of closely and distantly related homologous proteins of a four-helix bundle family. <u>J. Mol. Biol.</u> 256 (1): 187-200. GenBank Accession Number: s63593
	C18*	Kragelund, et al. 1996 "Fast and one-step folding of closely and distantly related homologous proteins of a four-helix bundle family. <u>J. Mol. Biol.</u> 256 (1): 187-200. GenBank Accession Number: s63594
	C19*	Kragelund, et al., 1996 "Fast and one-step folding of closely and distantly related homologous proteins of a four-helix bundle family." <u>J. Mol. Biol.</u> 256:187-200. GenBank Accession Number: q9PRL8
	C20*	Lagueux, et al. 1997 "Diazepam binding inhibitor/endozepine/acyl-CoA-binding homologue from Drosophila melanogaster." Unpublished. GenBank Accession Number: x75596
	C21*	Lihmann, et al. 1994 "Frog diazepam-binding inhibitor: Peptide sequence, cDNA cloning and expression in the brain. <u>Proc. Natl. Acad. Sci. U.S.A.</u> 91: 6899-6903. GenBank Accession Number: RRU09205
	C22*	Mandrup, et al. 1991 "Gene synthesis, expression in Escherichia coli, purification and characterization of the recombinant bovine acyl-CoA-binding protein. <u>Biochem. J.</u> 276 (pt. 3 ): 817-823. GenBank Accession Number: CAA44618
	C23*	McDougall, et al. 1999 Direct Submission. GenBank Accession Number: al096874
	C24*	NCI-CGAP: National Cancer Institute, Cancer Genome Anatomy Project. GenBank Accession Number: AA877351
	C25*	Orian, et al. 1988 "Cloning and sequencing of the ovine growth hormone gene." <u>Nucleic Acids Res.</u> 16 (18): 9046. GenBank Accession Number: ab017920
	C26*	Owens, et al. 1989 "Sequence and expression of the murine diazepam binding inhibitor. <u>Brain Res. Mol. Brain. Res.</u> 6 (2-3): 101-108. GenBank Accession Number: p31786



OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS:		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C27*	Pusch, et al. 1996 "A novel endozepine-like peptide (ELP) is exclusively expressed in male germ cells." <u>Mol. Cell. Endocrinol.</u> 122 (1) 69-80. GenBank Accession Number: O09035
	C28*	Ricke, et al. 1998 "Sequencing of Human Chromosome 16p13.3." Unpublished. GenBank Accession Number: AC005736
	C29*	Rose, et al. 1994 "Nucleotide sequence and genomic structure of a duck acyl-CoA binding prote/diazepam-binding inhibitor: co-localization with S-acyl fatty acid synthase thioesterase." <u>DNA Cell Biol.</u> 13 (6): 669-678. GenBank Accession Number: p45882
	C30*	Rose, T. M., E. R. Schultz, et al. (1992). "Molecular cloning of the gene for the yeast homolog (ACB) of diazepam binding inhibitor/endozepine/acyl-CoA-binding protein." <u>Proc Natl Acad Sci U S A</u> 89(23): 11287-91.
	C31*	Todd, S. and S. L. Naylor (1992). "New chromosomal mapping assignments for argininosuccinate synthetase pseudogene 1, interferon-beta 3 gene, and the diazepam binding inhibitor gene." <u>Somat Cell Mol Genet</u> 18(4): 381-5.
	C32*	Waterston, R.H. 2000 "The sequence of Homo sapiens clone." Unpublished. GenBank Accession Number: AC025743
	C33*	Webb, et al. 1987 "Bovine and human cDNA sequences encoding a putative benzodiazepine receptor ligand." <u>DNA</u> 6 (1): 71-79. GenBank Accession Number: p07107
	C34*	Webb, et al. 1987 "Bovine and human cDNA sequences encoding a putative benzodiazepine receptor ligand." <u>DNA</u> 6 (1): 71-79. GenBank Accession Number: p07108
	C35*	Webb, et al. 1987 "Bovine and human cDNA sequences encoding a putative benzodiazepine receptor ligand." <u>DNA</u> 6 (1): 71-79. GenBank Accession Number: m15888
	C36*	Webb, et al. 1987 "Bovine and human cDNA sequences encoding a putative benzodiazepine receptor ligand." <u>DNA</u> 6 (1): 71-79. GenBank Accession Number: m15887
	C37*	Webb, et al. 1987 "Bovine and human cDNA sequences encoding a putative benzodiazepine receptor ligand." <u>DNA</u> 6 (1): 71-79. GenBank Accession Number: m15886
	C38*	Webb, N. R., T. M. Rose, et al. (1987). "Bovine and human cDNA sequences encoding a putative benzodiazepine receptor ligand." <u>DNA</u> 6(1): 71-9.
	C39*	EMBL Database Accession No.: HSZZ11676 (April 18, 1997)
	C40*	EMBL Database Accession No.: AC008434 (August 4, 1999)
	C41*	Herzig et al. (1995). <u>Gut</u> 37(Suppl. 2): A70.
	C42*	Ivell et al. (2000). <u>Gene</u> 255: 335-345.
	C43*	Knudsen et al. (1993). <u>Mol. and Cell. Biochem.</u> 123: 129-138.
	C44*	Leprince et al. (1998). <u>J. Med. Chem.</u> 41: 4433-4438.
	C45*	Marquardt et al. (1986). <u>J. Biol. Chem.</u> 261: 9727-9731.
	C46*	EMBL Database Accession No.: AA843364 (March 10, 1998)
	C47*	Pusch et al. (1999). <u>Gene</u> 235: 51-57.
	C48*	Reddy and Kulkarni (1998). <u>Psychopharmacology</u> 137: 391-400.
	C49*	Swinnen et al. (1996). <u>DNA and Cell Biol.</u> 15: 197-208.
	C50*	Tonon et al. (1994). <u>Medecine/Sciences</u> 10: 433-443.
	C51*	Venturini et al. (1998). <u>Regulatory Peptides</u> 74: 31-34.
	C52*	International Search Report for PCT/US00/41077, mailed October 15, 2001.

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Page 4 of 4



\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/679,740 filed October 5, 2000, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.

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